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MARTIN & FERRARO, LLP
1557 Lake O'Pines Street, NE
Hartville, Ohio 44632

Telephone
(330) 877-0700

Facsimile
(330) 877-2030

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Name: Thomas H. Martin, Esq.

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Phone No.: 330-877-2277

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No. of Pages (including this): 4

Subject: U.S. Patent Application No. 10/825,522
Gary K. Michelson

Date: November 1, 2005

Filed: April 15, 2004

Confirmation Copy to Follow: NO

METHOD FOR INSERTING NESTED

INTERBODY SPINAL FUSION IMPLANTS

Attorney Docket No. 101.0069-02000

Customer No. 22882

Confirmation No.: 8146

Message:**CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that the attached Information Disclosure Statement and Form PTO-1449 are being facsimile transmitted to the U.S. Patent and Trademark Office on November 1, 2005.


Sandra L. Blackmon

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PATENT
Attorney Docket No. 101.0069-02000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of:)	
Gary K. Michelson)	Confirmation No.: 8146
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Filed: April 15, 2004)	Group Art Unit: 2622
For: METHOD FOR INSERTING)	
NESTED INTERBODY SPINAL)	
FUSION IMPLANTS)	

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the document listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

MARTIN & FERRARO, LLP

Date: November 1, 2005

By: 

Thomas H. Martin
Registration No 34,383

1557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: (330) 877-0700
Facsimile: (330) 877-2030

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